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## THE OCCASION AND CONSEQUENCES OF THE SEAMEN'S ACT <sup>1</sup>

R. DE TANKERVILLE

Editor, *Shipping Illustrated*

THERE is really nothing that I could add to the remarkable address made by Mr. Parvin, which is so complete that I don't see how I could supplement it. Mr. Parkinson made a reference to the practical impossibility in this country of obtaining intelligent consideration of legislation concerning shipping. Under our present political system it is hard to see how measures similar to the Seamen's Act can be prevented from being passed at the behest of any special interest to the embarrassment of the public at large. It is virtually impossible for the general public to form even an approximate idea of any of the questions involved in any shipping measure that is pending. Shipping is an industry that requires years of apprenticeship to learn its very rudiments, and while various propositions may be made in the interest of the public or in the interest of greater safety at sea, it is quite likely that unless a central authority is created that will have as its chief mission the study of everything connected with the prosecution of the shipping industry, legislation on the subject of shipping will continue to be a hopeless muddle.

Our present shipping legislation is a disgrace to civilization. The laws regulating the structural strength and equipment of ships are so bad, so hopelessly behind the times, that every ship built is far in advance of the mere requirements of the law. The reason for such action is the requirements of the underwriters. There are at the present time in the port of New York two ships that have been on the market for months. The market is favorable at present for the disposal of ships at very high rates. The owners could realize an enormous profit if they could sell those two ships, which have been

<sup>1</sup> Discussion at the meeting of the Academy of Political Science, November 13, 1915.

passed by the Steamboat Inspection Service, and which comply in every way with the American law. Yet, no underwriter will put a dollar on them, because they are deemed unsafe by practical people who know.

Following the Titanic disaster and the International Convention in London we heard a great deal about the measures that were to be enforced on foreign shipping in order to make the lives of Americans traveling by sea safer than heretofore. Yet, when the measure was finally adopted, it was not ratified by the Senate, as Mr. Parkinson, I believe, has told you. A bill had been pending since 1910, I believe, entitled the Seamen's Bill, containing some provisions relative to the capacity of the lifeboat equipment, and a formula for measuring the area allotted to passengers in lifeboats. Those regulations were inserted in the Seamen's Bill in order to make the people believe that the safety of passengers at sea was dependent on the adoption of that measure. This was a sham and a humbug.

A gentleman by the name of Havelock Wilson, who was virtually the boss of the Seamen's Union in England, and who, I think, is still a member of the British Parliament, came over to this country and consulted with the heads of the American Seamen's Union as to the ways and means of holding up the crews of British ships coming to America in case the wages of the seamen that had been signed on at foreign ports were lower than the prevailing rate of wages at American ports. The outcome of this agreement was the introduction of the Seamen's Bill. That is a little bit of history that has not been published extensively in the press, but the Seamen's Act as it exists now allows all this to be done. For instance, a ship with a crew signed on at the port of Hamburg goes to sea on a three years' voyage, during which she enters the ports of India and China and other places. Say two years afterwards she arrives here. We will say that the wages at New York are thirty dollars a month. Her crew are getting only twenty-five dollars. They immediately demand their wages. They leave the ship, and then, of course, the union will provide a new crew at the rate of thirty dollars a month. Is it the same seamen that are going to be re-shipped

at that rate? I think not. The members of the union will probably be put there.

Every clause of that Seamen's Bill was so drawn as to fortify the position of the union on the Atlantic coast, and the position of the seamen on the Atlantic coast had always been a weak one. Reading the Seamen's Bill between the lines we shall see—it percolates out of every word almost—that it is purely a local measure.

Fortunately for the Pacific Mail Company, a condition existed whereby there was a great demand for ships. Ships such as the Pacific Mail Company's usually cannot be disposed of easily, but conditions are such now that a favorable opportunity presented itself, and the company, in justice to its stockholders, sold its ships and withdrew from the field. They have been blamed for betraying almost a public trust, although they had no contract with the government for the carriage of mails or anything else. If they had had such a contract, it is quite likely that the government would have sued them for damages. Furthermore, if the Pacific Mail Company had decided to put its ships under the Chinese flag and sail them with American officers, under the terms of the Act of August 18, 1914, they would not have been interfered with; but, as American steamers, they could not operate. This is one of the results of passing legislation without due regard for all interests that it will affect.

Numerous hearings were given in Congress on the Seamen's Act, but it is a human impossibility for a congressional committee to consider every phase of the question and assign it its relative importance. In every maritime country in the world except this there is a central authority that studies all questions affecting the welfare of shipping. It is a sort of permanent arbitration board between what the ship-owning interests want and what the public is entitled to demand and what labor should obtain. This central authority does not exist here, and not until it does exist will measures such as the Seamen's Bill be studied in their proper light. When we have such a board, the public will no longer be submitted to some of the conditions now existing that are prejudicial alike to the seamen, to the public and to the shipowners.